UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT

U.S. DISTRICT COURT
DISTRICT OF VERMONT
FILED

2016 FEB -5 PM 4: 57

CLERK

BY_____
DEPUTY CLERK

UNITED STATES OF AMERICA	)	
	)	
v.	)	Crim. No. 2:16-mj-03-01
	)	
MARK MCGINNIS,	)	
Defendant.	)	

GOVERNMENT'S EX PARTE MOTION
TO REVOKE DEFENDANT'S RELEASE ORDER

The United States of America, by and through its attorney, Eric S. Miller, United States

Attorney for the District of Vermont, hereby requests, pursuant to 18 U.S.C. § 3148, that this Court

issue a warrant for the arrest of defendant Mark McGinnis based upon the defendant's violations of

conditions of release, schedule a violation hearing to address those violations, and revoke the

defendant's release order.   The basis for the government's motion is the Violation Report on

Offender Under Pretrial Supervision ("Violation Report"), dated February 5, 2016 prepared by

U.S. Probation Officer Parish Gibson.

McGinnis was released on January 22, 2016, on conditions that included refraining from

using unlawful controlled substances.   As the Violation Report explains, within 5 days of his

release he violated that condition by using heroin.   Exacerbating that violation he today failed to

report for drug testing as ordered.

Based on the facts set forth in the violation report, there is probable cause to believe that the

defendant has committed a Federal, State, or local crime, and it appears there is clear and

convincing evidence that the defendant has violated his conditions of release.   18 U.S.C. §

3148(b)(1)(A)-(B).

Accordingly, the government requests that the Court grant this motion, issue an arrest warrant, and hold a hearing on this matter at which Crams's release on conditions should be revoked.

Dated at Burlington, in the District of Vermont, this 5th day of February, 2016.

Respectfully submitted,

UNITED STATES OF AMERICA

ERIC S. MILLER
United States Attorney

By:

MICHAEL P. DRESCHER
Assistant U.S. Attorney
11 Elmwood Ave., PO Box 570
Burlington, VT 05401
(802) 951-6725
michael.drescher@usdoj.gov